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Merrill Communications LLC

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

XL SPECIALTY INSURANCE COMPANY,

Plaintiff,

-against -

JOHN R. LAKIAN, DIANE W. LAMM, &
KOBRE & KIM LLP,

Defendants.

Case No. 1:14-cv-05225-AT

ECF Case

NOTICE OF MOTION

PLEASE TAKE NOTICE that, upon the annexed declaration of Dominic Cutri, executed on October 9, 2014, and the exhibits thereto, the accompanying Memorandum of Law, dated October 9, 2014, and upon all other papers and proceedings in this matter, proposed intervenor Merrill Communications LLC will move this Court, before the Honorable Analisa Torres, United States District Judge, at the United States Courthouse, 500 Pearl Street, New York, New York, on a date and at a time designated by the Court, for an order Pursuant to Rule 24 of the Federal Rules of Civil Procedure granting Merrill Communications LLC permission to

intervene as a defendant in the above-captioned interpleader action and for such other and further relief as this Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that pursuant to the briefing schedule ordered by the Court, opposition to this motion, if any, is to be filed on or before October 24, 2014, and that any reply must be filed on or before October 31, 2014.

Dated: October 9, 2014

COSNER YOUNGELSON

By: /s/ Marc D. Youngelson
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TO: All Counsel of Record (via ecf)